

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**DONALD MINNIECHESKE,
Plaintiff,**

v.

Case No. 07C0002

**ALLYN DANNHOFF, et al.,
Defendants.**

DECISION AND ORDER

Plaintiff brought this quiet title action in state court, and the United States removed. Before me now are plaintiff's motion to remand and defendants' motion to dismiss or, alternatively, for summary judgment. I will first deny plaintiff's motion to remand because it is without merit. The United States had a right to remove under 28 U.S.C. § 1444. I will treat defendants' dispositive motion as a motion for summary judgment. Plaintiff has had an opportunity to respond to all of defendants' submissions. In addressing the motion, I take all facts in the light most favorable to plaintiff and will grant the motion only if no reasonable jury could find for plaintiff.

I will grant the defendants' motion for summary judgment. Plaintiff's suit is baseless. He seeks to overturn previous lawful orders authorizing the United States to foreclose its tax liens on certain property, to raze buildings on the property and to sell the property.

Defendants additionally move for sanctions against plaintiff. Although plaintiff's suit is baseless, I decline to impose sanctions because plaintiff did not file the suit in federal court. See Worthington v. Wilson, 8 F.3d 1253, 1257-58 (7th Cir. 1993).

Therefore,

IT IS ORDERED that plaintiff's motion for remand is **DENIED**

IT IS ORDERED that defendants' motion for sanctions is **DENIED**.

IT IS FURTHER ORDERED that defendants' motion for summary judgment is **GRANTED**, and this case is **DISMISSED**.

Dated at Milwaukee, Wisconsin, this 31 day of July, 2007

/s _____
LYNN ADELMAN
District Judge